

REMARKS/ARGUMENTS

Claims 1-63 were previously pending in the application. Claims 1-63 are canceled, and new claims 64-121 are added herein. Support for the new claims may be found, e.g., in the portions of the specification listed in the table below:

New claim	Specification Portion(s) Supporting New Claim
64	p. 31, lines 14-22; p. 17, line 15 – p. 18, line 12; p. 1, lines 7-16; p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22
65	p. 16, lines 4-12; p. 17, line 10 – p. 18, line 5; p. 21, line 1; p. 21, lines 13-20
66	p. 16, lines 6-12; p. 21, lines 18-20; FIG. 4
67	p. 14, lines 16-18
68	p. 27, line 18 – p. 28, line 2
69	p. 14, lines 19-22
70	p. 32, lines 10-12; p. 57, line 6 – p. 58, line 2; p. 50, line 7 – p. 57, line 2
71	p. 16, lines 4-12; p. 41, line 21 – p. 42, line 14
72	p. 16, lines 4-12; p. 41, line 21 – p. 42, line 14; p. 28, lines 15-16
73	p. 14, lines 16-18; p. 15, line 8 – p. 16, line 3; p. 18, lines 13-23
74	p. 32, line 17 – p. 33, line 6; p. 36, line 21 – p. 37, line 2
75	p. 22, lines 16-20
76	p. 30, lines 11-18
77	p. 35, line 8 – p. 26, line 5
78	p. 22, lines 5-15
79	p. 35, line 22 – p. 36, line 5
80	p. 34, lines 7-15
81	p. 34, lines 7-15
82	p. 57, line 6 – p. 58, line 2; p. 40, lines 4-9
83	p. 33, line 7 – p. 34, line 2; p. 40, lines 4-9
84	p. 33, line 7 – p. 34, line 2
85	p. 33, line 7 – p. 34, line 2
86	p. 33, line 7 – p. 34, line 2
87	p. 40, lines 4-9
88	p. 19, lines 18-22; p. 37, line 8 – p. 38, line 3
89	p. 19, lines 18-22; p. 38, lines 4-18
90	p. 19, lines 18-22; p. 38, lines 4-18
91	p. 19, lines 18-22
92	p. 19, lines 18-22; p. 38, lines 4-18
93	p. 20, line 6 – p. 21, line 2
94	p. 19, line 18 – p. 20, line 5; p. 30, lines 1-10
95	p. 19, line 18 – p. 20, line 5
96	p. 37, lines 3-7
97	p. 21, lines 22-23; p. 34, line 4 – p. 35, line 13
98	p. 21, lines 22-23; p. 34, line 4 – p. 35, line 13
99	p. 21, lines 22-23; p. 34, line 4 – p. 35, line 13
100	p. 22, lines 5-15; FIGS. 14, 15, 16
101	p. 22, lines 5-15

102	p. 19, lines 1-17; p. 27, lines 9-15
103	TABLE 10
104	p. 31, lines 14-22; p. 17, line 15 – p. 18, line 12; p. 1, lines 7-16; p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22
105	p. 31, lines 14-22; p. 17, line 15 – p. 18, line 12; p. 1, lines 7-16; p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22
106	p. 26, line 1 – p. 34, line 2
107	p. 26, line 1 – p. 34, line 2
108	p. 26, line 1 – p. 34, line 2
109	p. 26, line 1 – p. 34, line 2
110	p. 26, line 1 – p. 34, line 2
111	p. 26, line 1 – p. 34, line 2
112	p. 26, line 1 – p. 34, line 2
113	p. 26, line 1 – p. 34, line 2
114	p. 26, line 1 – p. 34, line 2
115	p. 31, lines 14-22; p. 17, line 15 – p. 18, line 12; p. 1, lines 7-16; p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22
116	p. 27, line 18 – p. 28, line 2
117	p. 38, line 19 – p. 39, line 8; p. 28, line 9 – p. 29, line 17
118	p. 38, line 19 – p. 39, line 8; p. 28, line 9 – p. 29, line 17
119	p. 15, lines 3-7; p. 83, lines 5-15
120	p. 31, lines 14-22; p. 17, line 15 – p. 18, line 12; p. 1, lines 7-16; p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22
121	p. 31, lines 14-22; p. 17, line 15 – p. 18, line 12; p. 1, lines 7-16; p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22

Assuming the entry of this Amendment, claims 64-121 are now pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

In paragraphs 2-3 of the Action, the Examiner rejected claims 1-20 and 42-63 under 35 U.S.C. §101 as directed to non-statutory subject matter as not producing a “concrete and tangible result.” Claims 1-20 and 42-63 have all been canceled, rendering moot the §101 rejection with respect to these claims.

On 3/22/06, the Examiner participated in a telephonic interview with the Applicant's attorney Kevin Drucker. During the interview, the Examiner agreed that she would review a set of replacement claims for compliance with 35 U.S.C. §101, which served as the basis for rejections of now-canceled claims 1-20 and 42-63. The Applicant's attorney agreed to fax a proposed draft amendment for the Examiner's review that day, and the Examiner agreed to contact the Applicant's attorney within a few days to advise whether the proposed replacement claim set complies with §101. The Applicant's attorney sent the proposed draft amendment on 3/22/06 and still has not received a response from the Examiner after leaving several voice mail messages with the Examiner, including on 3/27/06, 3/30/06, and 4/4/06. Accordingly, to avoid incurring extension fees, the Applicant's attorney files this Amendment today without the benefit of the Examiner's review of claims for §101 compliance, as previously agreed between the Applicant's attorney and the Examiner.

It is believed that all of new claims 64-121 have been written so as to overcome the §101 rejection. Claim 64 recites the step of “(d) for each candidate decision represented by the candidate decision parameters, outputting simulation results based on the alternative scenario parameters

corresponding to the simulated alternative scenarios at one or more future time instants.” The simulation results constitute a “concrete and tangible result.” Claims 104 and 105 contain similar features. Claim 106 recites the step of “(d) compiling the application database and the specifications to generate a decision-support application that is executable under the decision-support simulator framework.” The executable decision-support application is a “concrete and tangible result.” Claims 113 and 114 contain similar features. Claim 115 recites the step of “(d) providing output data, based on the simulated outcomes, to permit comparison of the simulated outcomes for each of the strategies.” The output data is a “concrete and tangible result.” Claims 120 and 121 contain similar features. It is thus believed that all of the pending independent claims and their respective dependent claims claim statutory subject matter producing a “concrete and tangible result,” thereby satisfying the requirements of 35 U.S.C. §101.

In paragraphs 4-5 of the Action, the Examiner rejected claims 1-18, 20-35, and 37-42 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,321,205 (“Eder”). In paragraphs 6-7 of the Action, the Examiner rejected claims 19 and 48-63 under 35 U.S.C. §103(a) as obvious over Eder. In paragraph 8 of the Action, the Examiner rejected claim 36 under 35 U.S.C. §103(a) as anticipated by Eder in view of U.S. Patent No. 6,115,691 (“Ulwick”). In paragraph 9 of the Action, the Examiner rejected claims 43-47 under 35 U.S.C. §103(a) as obvious over Eder in view of U.S. Patent No. 6,151,601 (“Papiernak”). Claims 1-63 have all been canceled, rendering these art rejections moot. The Applicant respectfully submits that new claims 64-121 are all allowable over the cited references for at least the following reasons.

Claim 64 recites, *inter alia*, “(a) constructing a model of a decision domain for creating a plurality of scenarios in the decision domain, the model constructed based on a received selection of a predefined model from among a plurality of predefined models of decision domains.” (See, e.g., p. 19, lines 18-19; p. 22, line 16 – p. 23, line 16; p. 31, lines 16-19; p. 80, line 11 – p. 82, line 6.) In Eder, there is no selection of a predefined decision domain model from among a plurality of predefined decision domain models. Rather, Eder teaches a single application defined by a single model that calculates and displays a forecast of the impact of user-specified or system generated changes in business value drivers on other value drivers, elements, financial performance and long-term value of a commercial enterprise, based on information from a detailed valuation of the enterprise (col. 5, lines 1-9). Nor do Ulwick and Papiernak supply these missing teachings. Thus, claim 64 is allowable over the cited references. Claims 104 and 105, which contain similar limitations to those of claim 64, are also allowable over the cited references.

Claim 106 recites, *inter alia*, “(d) compiling the application database and the specifications to generate a decision-support application that is executable under the decision-support simulator framework.” (See, e.g., p. 31, line 8 – p. 34, line 2.) In Eder, there is no compiling of an application database and specifications to generate an executable decision-support application. Rather, Eder teaches a single application defined by a single model that calculates and displays a forecast of the impact of user-specified or system generated changes in business value drivers on other value drivers, elements, financial performance and long-term value of a commercial enterprise, based on information from a detailed valuation of the enterprise (col. 5, lines 1-9). Nor do Ulwick and Papiernak supply these missing teachings. Thus, claim 106 is allowable over the cited references. Claims 113 and 114, which contain similar limitations to those of claim 106, are also allowable over the cited references.

Claim 115 recites, *inter alia*, “(c) simulating outcomes of each of the strategies for each of the alternative scenarios over time;” and “(d) providing output data, based on the simulated outcomes, to permit comparison of the simulated outcomes for each of the strategies.” (See, e.g., p. 14, line 15 – p. 15, line 7; p. 57, line 3 – p. 60, line 22.) In Eder, while there is some simulation taking place, there is no way


of simulating outcomes for a plurality of strategies for a plurality of alternative scenarios, and there is also no way to compare the simulated outcomes for each of the strategies. Rather, Eder provides simulation for only one strategy and one scenario at a time (element 855 of FIG. 16; col. 46, lines 61-66). Nor do Ulwick and Papiernak supply these missing teachings. Thus, claim 115 is allowable over the cited references. Claims 120 and 121, which contain similar limitations to those of claim 115, are also allowable over the cited references.

In view of the above amendments and remarks, the Applicant believes that the now-pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

In the event that the Examiner believes that this Amendment does not place the application in condition for allowance, the Applicant requests a telephonic interview between the Examiner and the Applicant's attorney Kevin Drucker to discuss this Amendment. The Applicant requests that the Examiner call Mr. Drucker (215-557-6659) to arrange a convenient time for such an interview.

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Respectfully submitted,



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